

# HAWAII PATRIOT REPUBLICANS

Written Testimony in Opposition to S.B. No. 780

Submitted to the Senate Committee on Judiciary & Hawaiian Affairs

March 11, 2025

Honorable Members of the Committee,

As a citizen who believes in the sanctity of elections, the rule of law, and the right of the people to choose their leaders—values I know resonate with Republicans and Democrats alike—I urge you to vote "No" on S.B. No. 780. This bill seeks to exclude candidates from ballots and electors from serving based on alleged disqualifications under the Fourteenth Amendment, Article XVI of the Hawaii Constitution, or other provisions (Sections 2-6), with a rushed Supreme Court challenge process (Section 2). It's a power grab dressed as integrity, threatening voter rights, due process, and democratic stability. Evidence from other states warns of the chaos this invites. Below, I outline my objections and appeal to your shared commitment to Hawaii's future.

## **1. Usurps Voter Choice and Sovereignty**

This bill strips voters of their fundamental right to choose candidates by letting unelected officials or courts preemptively disqualify them (Section 2). Republicans cherish the people's voice, and Democrats fight for ballot access—yet S.B. No. 780 hands bureaucrats the power to silence both. The Fourteenth Amendment's Section 3 and Hawaii's Article XVI, Section 3, are serious, but their application should follow conviction, not accusation.

In Colorado, a 2023 attempt to bar Donald Trump from the ballot under the Fourteenth Amendment was overturned by the U.S. Supreme Court in *Trump v. Anderson* (2024), which ruled states can't unilaterally disqualify federal candidates. A [Denver Post analysis](#) noted the effort confused voters and eroded trust. Hawaii's bill risks similar overreach for state offices, sidelining the electorate.

## **2. Lacks Due Process and Fair Standards**

The bill's challenge process—filing with the Supreme Court 57 days before an election, with a ruling in just four days (Section 2)—is a kangaroo court in waiting. It demands a "preponderance of evidence" without defining what constitutes "insurrection" or "overthrow," leaving candidates defenseless against vague accusations. Democrats who champion fair trials and Republicans who demand justice should reject this rushed, subjective mess.

New Mexico's 2022 disqualification of a county commissioner under the Fourteenth Amendment, detailed in a [Santa Fe New Mexican report](#), relied on a full trial with clear evidence—not a last-minute hearing. Hawaii's process invites abuse, not accountability.

## **3. Invites Political Weaponization**

By empowering any 30 voters or a party to challenge a candidate's eligibility (Sections 3, 5), this bill opens the door to partisan vendettas. A few agitators could derail campaigns with baseless claims, clogging courts and sowing chaos. Republicans who decry "lawfare" and Democrats who oppose voter suppression tactics should see this as a threat to fair elections.

Maine's 2023 bid to disqualify Trump from the primary ballot, halted by the Trump v. Anderson ruling, sparked a [Portland Press Herald report](#) of partisan backlash and legal gridlock. Hawaii risks turning elections into a battleground of frivolous challenges, not votes.

#### **4. No Evidence of a Crisis Justifying This**

The bill cites constitutional provisions (Section 1) but offers no proof that Hawaii's elections are plagued by insurrectionists or coup plotters. Our current laws—like ballot qualification rules and post-election contests (Section 11-172)—already filter out bad actors. This is a solution without a problem, risking upheaval for no gain. Both parties want practical governance—Republicans to avoid waste, Democrats to focus on real issues.

Georgia's 2022 challenge to Marjorie Taylor Greene's candidacy under the Fourteenth Amendment failed, with a [Reuters report](#) noting no evidence warranted her removal. Hawaii's system works—why fix what isn't broken?

#### **5. Undermines Election Stability and Trust**

A 57-day pre-election cutoff for challenges (Section 2) means late disqualifications could upend ballots, confuse voters, and delay results. If a popular candidate is axed, public faith in the process crumbles. Democrats who seek voter confidence and Republicans who demand election integrity should fear this ticking time bomb.

Arizona's 2022 election saw last-minute legal fights over ballot eligibility, per an [AZ Central report](#), delaying certification and fueling distrust. Hawaii's bill courts the same chaos, threatening our democratic bedrock.

#### **6. Oversteps State Authority Post-Trump v. Anderson**

While the bill limits its scope to state offices (Section 2(c)), citing Trump v. Anderson (Section 1), it still flirts with overreach. The Supreme Court warned against states playing judge and jury on constitutional eligibility. Extending this to electors (Sections 4-6) further muddies federal-state lines. Republicans who value federalism and Democrats who respect judicial precedent should question this overzealous grab.

Illinois' 2024 push to bar candidates under similar grounds fizzled after Trump v. Anderson, with a [Chicago Tribune analysis](#) noting it wasted time and resources. Hawaii should heed this lesson, not repeat it.

#### **Conclusion: Vote "No" to Protect Democracy and Fairness**

Honorable members, S.B. No. 780 promises integrity but delivers voter suppression, legal chaos, and political gamesmanship. Democrats, don't let this silence your constituents' choices. Republicans, don't let it erode due process and trust. Colorado, New Mexico, Maine, Georgia, Arizona, and Illinois show these schemes falter—Hawaii's elections thrive without this overreach. I respectfully urge you to vote "No."

Sincerely,

*Andrew Crossland*

Hawaii Patriot Republicans

[hawaiipatriotrepublicans@gmail.com](mailto:hawaiipatriotrepublicans@gmail.com)

**SB-780**

Submitted on: 3/11/2025 11:37:26 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Cordery	Aloha Freedom Coalition	Oppose	Written Testimony Only

Comments:

I Adamantly Appose SB780!

This bill arbitrarily removes candidates from the ballot and lets the courts decide on eligibility!  
This is an obvious violation of 1st amendment!!

**SB-780**

Submitted on: 3/10/2025 11:40:20 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
penny levin	Individual	Support	Written Testimony Only

Comments:

in support

**SB-780**

Submitted on: 3/10/2025 12:12:25 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Individual	Support	Written Testimony Only

Comments:

I strongly support SB780. Please pass this bill.

**SB-780**

Submitted on: 3/11/2025 7:16:41 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kealohi Hanohano	Individual	Oppose	Written Testimony Only

Comments:

I oppose!

**SB-780**

Submitted on: 3/11/2025 7:35:44 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joelle Seashell	Individual	Oppose	Written Testimony Only

Comments:

Corrupted banana republic idea. Strongly opposed.

**SB-780**

Submitted on: 3/11/2025 7:58:59 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ruben Ongos	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE THIS BILL



**SB-780**

Submitted on: 3/11/2025 7:59:27 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Laurence Limasa	Individual	Oppose	Written Testimony Only

Comments:

I oppose!

**SB-780**

Submitted on: 3/11/2025 8:02:11 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lora Santiago	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE SB780.

**SB-780**

Submitted on: 3/11/2025 8:06:39 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Emerson	Individual	Oppose	Written Testimony Only

Comments:

We dont want to give power back to the people and let them decide who they want to vote for?  
This sounds like the government gets to implant who they want.

**SB-780**

Submitted on: 3/11/2025 8:13:40 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dorinda Ohelo	Individual	Oppose	Written Testimony Only

Comments:

I oppose the bill.

**SB-780**

Submitted on: 3/11/2025 8:13:45 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kamakani de dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill !

**SB-780**

Submitted on: 3/11/2025 8:22:00 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mallory De Dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill !

**SB-780**

Submitted on: 3/11/2025 8:31:17 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Dedely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill !

**SB-780**

Submitted on: 3/11/2025 8:59:34 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robin D. Ganitano	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB780 which arbitrarily removes political candidates from the ballot and lets courts decide eligibility.



**SB-780**

Submitted on: 3/11/2025 8:59:56 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Giles	Individual	Oppose	Written Testimony Only

Comments:

I strongly Oppose SB780,

Paul Giles

**SB-780**

Submitted on: 3/11/2025 9:33:18 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bronson Teixeira	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I stand in strong opposition to this bill, mahalo.

**SB-780**

Submitted on: 3/11/2025 9:40:54 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Blaine De Ramos	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB780. The people should decide which candidates should be removed by vote.

**SB-780**

Submitted on: 3/11/2025 9:46:07 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Noela von Wiegandt	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose SB780. Hands down ELECTION INTERFERENCE. This bill is absolutely a slap in the face to every single citizen who votes in the State of Hawaii. Vote NO! Thank you.

Noela von Wiegandt

**SB-780**

Submitted on: 3/11/2025 9:54:28 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Domingo	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB780

**SB-780**

Submitted on: 3/11/2025 10:34:40 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Littleton	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB780.

**SB-780**

Submitted on: 3/11/2025 10:36:26 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Miles Kushima	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose bill sb 780. No judge shall be allowed to rule which canidates can or cannot be on our ballots. It is an over reach of their power. Never!

Mahalo,

Miles K.

**SB-780**

Submitted on: 3/11/2025 10:59:19 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bad bill.



**SB-780**

Submitted on: 3/11/2025 11:03:27 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sally Lee	Individual	Oppose	Written Testimony Only

Comments:

I oppose. This bill is not in the best interest of the people of Hawaii.

**SB-780**

Submitted on: 3/11/2025 11:17:45 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cari Sasaki	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB780. Candidate eligibility and who gets to appear on the ballot should not be decided arbitrarily. And I dare say that our courts lean toward one political party so letting them decide is no better.

**SB-780**

Submitted on: 3/11/2025 11:31:27 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Kamau	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB780. Mahalo.

**SB-780**

Submitted on: 3/11/2025 12:20:32 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bart Burford	Individual	Oppose	Written Testimony Only

Comments:

Please note my vehement opposition to this bill - Pono Patriot

**SB-780**

Submitted on: 3/11/2025 12:46:48 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Nichols	Individual	Oppose	Written Testimony Only

## Comments:

I oppose Senate Bill No. 780 because I believe it represents an overreach by the State of Hawaii that risks infringing on individual rights and federal authority, based on what I see as obscure and subjective interpretations of eligibility. As a resident who values a balanced approach to governance, I am concerned that this bill empowers state officials to exclude candidates from ballots for state offices under provisions like Section 3 of the Fourteenth Amendment and Article XVI, Section 3 of the Hawaii Constitution, without clear, uniform standards. While I recognize the intent to ensure integrity in public office, I find it troubling that the state seeks to unilaterally define and enforce disqualifications—such as insurrection or attempts to overthrow government—when these terms can be broadly interpreted. I believe the state cannot overpower the country by imposing its own obscure views on eligibility, especially when the U.S. Supreme Court in *Trump v. Anderson* affirmed that Congress holds exclusive power over federal office disqualifications. This bill, even if limited to state offices, sets a precedent that could conflict with national consistency.

I also see practical and fairness issues with the proposed processes. The challenge mechanism—allowing complaints to the Hawaii Supreme Court just 57 days before a general election—places a significant burden on candidates to defend themselves against potentially vague or politically motivated allegations, with only a preponderance of evidence required. I worry this rushed timeline and low evidentiary threshold could lead to unjust exclusions, undermining voters' rights to choose their representatives. Similarly, extending disqualification rules to presidential electors strikes me as an unnecessary layer of state control over a process tied to federal elections, where Congress should have the final say. I believe these measures risk amplifying local biases rather than adhering to a broader, more objective national framework, which is critical for maintaining trust in our democratic system.

In my view, the existing constitutional provisions and judicial oversight already provide sufficient tools to address genuine threats to democracy without this additional legislation. I haven't seen compelling evidence that Hawaii faces a widespread problem of disqualified candidates slipping through the cracks, justifying such a heavy-handed approach. Instead of codifying state-specific powers that could clash with federal authority, I think lawmakers should focus on enhancing voter education and transparency to let the electorate decide who represents them. The state's role should be to facilitate fair elections, not to preemptively exclude candidates based on its own interpretations, which I see as an overstep driven by obscure views rather than a clear national mandate. I respectfully urge the legislature to reject this bill to preserve both individual rights and the proper balance of state and federal power.



**SB-780**

Submitted on: 3/11/2025 1:01:19 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terry Murakami	Individual	Oppose	Written Testimony Only

Comments:

I oppose

**SB-780**

Submitted on: 3/11/2025 1:17:17 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Cabjuan	Individual	Oppose	Written Testimony Only

Comments:

Oppose this bill



**SB-780**

Submitted on: 3/11/2025 1:34:17 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brett Kulbis	Individual	Oppose	Remotely Via Zoom

Comments:

**Chair Tarnas and Committee Members,**

**I STRONGLY OPPOSE SB-780.**

**SB-780**

Submitted on: 3/11/2025 1:37:20 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah Umiamaka	Individual	Oppose	Written Testimony Only

Comments:

**Dear Members of the Hawaii State Legislature,**

**I am writing to express my strong opposition to Senate Bill 780 relating to elections. While I understand the intent to ensure only qualified candidates appear on ballots, I believe this bill is unnecessary and potentially harmful to our democratic process.**

**Our existing constitutional framework and state laws already provide robust mechanisms to prevent arbitrary removal of candidates from ballots. The U.S. Constitution and Hawaii State Constitution, along with current statutes, offer sufficient guidance on candidate eligibility and processes for challenging that eligibility when necessary.**

**SB780 would place undue burdens on our court system and taxpayers. The bill proposes a new process for contesting candidate eligibility through the State Supreme Court, which could lead to an increase in frivolous challenges and unnecessary litigation. Our judicial system is already strained, and this additional workload could divert resources from other critical matters.**

**Furthermore, the bill's provisions regarding the disqualification of presidential electors raise concerns about potential conflicts with federal law and the U.S. Constitution. Such conflicts could result in costly legal battles and uncertainty in our electoral process.**

**I urge you to consider that our current laws and constitutional provisions already safeguard the integrity of our elections while respecting the rights of candidates and voters alike. The existing system allows for appropriate judicial review when legitimate questions of eligibility arise, without creating new, potentially problematic processes.**

**In conclusion, I respectfully ask that you oppose SB780. Let us maintain faith in our established democratic institutions and the wisdom of our existing constitutional framework. Our focus should be on encouraging civic participation and ensuring fair, accessible elections for all Hawaii residents.**

**Sincerely,  
Deborah Umiamaka**



**SB-780**

Submitted on: 3/11/2025 1:59:56 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sierra Mcveigh	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

please oppose sb780.

-Sierra Mcveigh

**SB-780**

Submitted on: 3/11/2025 2:24:41 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alika Valdez	Individual	Support	Written Testimony Only

Comments:

I support this bill.

**SB-780**

Submitted on: 3/11/2025 2:47:28 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chanara Caey Richmond	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB780. Chanara Richmond, HD42. The only way to improve election problems is by going back to precinct voting. This centralized system is a failure.

**SB-780**

Submitted on: 3/11/2025 3:24:49 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Justin Kaawa	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose

**SB-780**

Submitted on: 3/11/2025 4:23:23 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tim Huycke	Individual	Support	Written Testimony Only

Comments:

I support SB780.



**SB-780**

Submitted on: 3/11/2025 4:56:06 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lesha Mathes	Individual	Oppose	Written Testimony Only

Comments:

This bill is unconstitutional! You do not get to decide who We the People get to vote for! We the People get to decide. Quit overstepping your authority! You work for us! Not the other way around! Stop this nonsense!

**SB-780**

Submitted on: 3/11/2025 5:36:47 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I Strongly Oppose

**SB-780**

Submitted on: 3/11/2025 6:01:05 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kanoe Willis	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose

**SB-780**

Submitted on: 3/11/2025 6:10:40 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
james wallace	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB780.The courts should not decide eligibility,there already corrupt and should stay away becuse they can get bought out easily.We already have a corrupt system!!!

**SB-780**

Submitted on: 3/11/2025 6:49:18 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dayna Matsumura	Individual	Oppose	Written Testimony Only

Comments:

Oppose

**SB-780**

Submitted on: 3/11/2025 7:24:31 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Louella Vidinha	Individual	Oppose	Written Testimony Only

Comments:

In opposition.

The courts and so forth, do not have the power to remove a candidate from the ballot.

It will be misused by the opponents.

Louella Vidinha

Hawaii resident

**SB-780**

Submitted on: 3/11/2025 9:48:12 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tiare Smith	Individual	Oppose	Written Testimony Only

Comments:

**\*\*TESTIMONY IN OPPOSING S.B. NO. 780\*\***

Aloha nā lālā o ka Senate,

I present myself as Tiare Smith, a Native Hawaiian who has called Kahalu‘u, O‘ahu, my home for 45 unbroken years. Raised amidst the verdant valleys and coastal rhythms of this land, I carry the legacy of our kūpuna and a steadfast commitment to the democratic ideals that shape our future. It is with this profound sense of kuleana that I stand in opposition to Senate Bill 780 (SB780). While the bill seeks to ensure the integrity of public office, its mechanism—empowering the chief election officer and county clerks to arbitrarily exclude candidates from ballots—precipitously undermines the safety, efficacy, and equity of our electoral system. Such an approach is antithetical to judicial due process and risks disenfranchising voters, particularly in communities like mine, where trust in governance is hard-earned and fragile.

**### I. Arbitrary Removal Threatens Democratic Safety**

SB780 amends Chapter 11, Hawaii Revised Statutes, to mandate that ballots exclude candidates deemed disqualified under Section 3 of the Fourteenth Amendment, Article XVI, Section 3 of the Hawaii Constitution, or other provisions, with the decision resting solely in the hands of the chief election officer or county clerks. This unilateral authority is a perilous overreach. Democracy thrives on transparency and judicial impartiality, not on the unchecked discretion of administrative officials who lack the legal expertise to adjudicate complex constitutional questions.

The bill’s reliance on Trump v. Anderson (2024) to justify state authority over state offices does not extend to bypassing courts. Allowing election officials to preemptively strike candidates—without a prior judicial finding—invites abuse, error, and the specter of political bias. In Kahalu‘u, where candidates often emerge from grassroots movements, this could silence voices before they are heard, jeopardizing the safety of our electoral process.

**### II. Efficacy Undermined by Procedural Flaws**

The efficacy of SB780 is further compromised by its convoluted challenge process. While it provides for Supreme Court review of exclusions, the timeline—filings by the 57th day before the election, rulings by the 53rd—leaves scant room for deliberation in complex cases. This

compressed schedule risks hasty decisions, undermining the thoroughness required to assess disqualification claims. Moreover, the burden of proof falls on challengers, not the officials making the initial exclusion, inverting the presumption of eligibility that underpins fair elections.

An effective system would prioritize judicial determination *\*before\** ballot exclusion, not after. SB780's reactive approach invites chaos—ballots printed, then contested—eroding public confidence and administrative efficiency.

### ### III. Cost-Effectiveness Sacrificed for Bureaucratic Overreach

SB780's framework is fiscally imprudent. Empowering election officials to make disqualification calls will escalate costs through inevitable legal battles. Each exclusion could trigger Supreme Court challenges, costing an estimated \$20,000-\$30,000 per case in legal fees, staff time, and ballot reprints if overturned. In a state of four counties, even two disputes per election cycle could drain \$80,000-\$120,000—funds better spent on voter access.

Contrast this with the current system, where courts handle eligibility preemptively, avoiding mid-cycle disruptions at a lower cost (approximately \$10,000 per judicial review). SB780's approach trades cost-effectiveness for bureaucratic overreach, burdening taxpayers without enhancing electoral integrity.

### ### IV. Equity Endangered by Discretionary Power

Equity is central to my dissent. Native Hawaiian communities, like Kahalu'u, have long fought for representation against systemic exclusion. SB780's delegation of authority to election officials—who may lack cultural context or community ties—risks arbitrary decisions that disproportionately target candidates from marginalized groups. A clerk's subjective interpretation of "insurrection" or "overthrow" could disenfranchise leaders advocating for sovereignty or reform, echoing historical suppressions of indigenous voices.

Judicial oversight, rooted in due process, ensures equitable treatment. SB780's bypass of this safeguard tilts the electoral playing field against those already underrepresented, perpetuating inequity under the guise of integrity.

### ### V. Detailed Solutions for a Judicially Grounded Approach

Rather than endorsing SB780's flawed delegation, I propose the following solutions to prevent arbitrary removals, ensuring safety, efficacy, cost-effectiveness, and equity through judicial oversight:

1. **\*\*Mandatory Pre-Election Judicial Review\*\***: Require courts to adjudicate disqualification claims before candidates are excluded, initiated by a bipartisan elections board. Cost: \$15,000 per case, offset by avoiding \$25,000-\$40,000 in post-exclusion disputes and reprints.



2. **\*\*Streamlined Eligibility Hearings\*\***: Establish a dedicated electoral court panel to rule on challenges within 60 days of candidacy filing, at a one-time setup cost of \$50,000 and \$20,000 annually—saving \$50,000-\$75,000 yearly by preventing ballot revisions.
3. **\*\*Automated Candidate Screening Tools\*\***: Deploy software to flag potential eligibility issues (e.g., prior convictions) for judicial review, costing \$30,000 upfront and \$5,000 annually, reducing clerical errors and saving \$15,000-\$20,000 per election in manual oversight.
4. **\*\*Community-Informed Oversight\*\***: Include Native Hawaiian and rural representatives on an advisory panel to guide eligibility reviews, ensuring equity at a modest \$10,000 annual cost, offset by preserved voter trust and reduced litigation.

These measures anchor eligibility in judicial authority, not administrative whim, safeguarding democracy at lower cost.

#### ### VI. Conclusion

SB780's intent to uphold integrity is laudable, but its execution—arbitrarily removing candidates without judicial vetting—is a dangerous misstep. It threatens the safety, efficacy, and equity of our elections while imposing unnecessary costs. I urge the Senate to reject this bill and adopt the proposed alternatives, ensuring courts, not clerks, decide eligibility. As a Native Hawaiian of Kahalu'u, I call for a system that honors our voices, not one that risks silencing them anew.

Mahalo nui loa for your attention.

Respectfully submitted,

**\*\*Tiare Smith\*\***

Kahalu'u, O'ahu

**SB-780**

Submitted on: 3/11/2025 10:36:04 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Zac Nosugref	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

**SB-780**

Submitted on: 3/12/2025 2:13:00 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Healy	Individual	Oppose	Remotely Via Zoom

Comments:

I strongly oppose this bill.

**SB-780**

Submitted on: 3/12/2025 6:34:37 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shani Hough	Individual	Oppose	Written Testimony Only

Comments:

Arbitrarily removes political candidates from the ballot an lets courts decide eligibility!